

REMARKS/ARGUMENTS

The inventor, Gordon Brown, and the undersigned would like to thank Examiner Ruhl for the courtesies extended during the interview conducted January 25, 2006. The present Amendment is believed to address the issues raised in the Office Action and during the interview.

Upon entry of this Amendment, Claims 28, 29, 32-35, 38-40, 43, 45-55, 58-71, 74-81, 83-93, 96-109 and 112-119 will be pending in the application. Claims 30, 31, 36, 37, 41, 42, 44, 56, 57, 72, 73, 82, 94, 95, 110, 111 and 120 have been canceled without prejudice.

Independent Claims 28, 34 and 39 have been amended to recite accounting codes representing income, expense, asset and/or liability information. Dependent Claims 32 and 33 (which depend from Claim 28) and 43 (which depends from Claim 39) have been amended to recite accounting codes in order to correspond with the claims from which they depend. Dependent Claims 55, 71, 93 and 109 have also been amended to recite accounting codes representing income, expense, asset and/or liability information. Basis for the “accounting code” language is provided in the specification, for example, at page 4, line 23 to page 5, line 11, page 5, lines 24-35, page 7, lines 6-35, page 9, lines 8-15 and page 10, lines 3-30, as well as Claims 3, 13 and 23 as originally filed. No issue of new matter is presented.

Independent Claims 45, 61, 78, 80, 83, 99, 116 and 118 have been amended to recite that the financial transaction computers are programmed to receive data inputs in order to explicitly recite what was inherently included in the original claims, namely, that the financial transaction computers are programmed to receive data inputs including electronically recorded financial transactions made between at least one user and at least one other entity. No issue of new matter is presented.

Independent Claims 45, 61, 78, 80, 83, 99, 116 and 118 have also been amended to recite interactive access between the financial accounting computer and the user or an agent of the user. Thus, the amended claims require the user (or agent) to interact or interface with the financial accounting computer. Such interactive access may be done, for example, by a user interfacing with a computer display screen and keyboard connected to a local computer, such as a PC, which serves as the financial accounting computer, or a user interfacing with a computer display screen and keyboard connected to a local computer which, in turn, communicates with a

remote computer which serves as the financial accounting computer. In both cases, the user (or agent) interacts or interfaces with the financial accounting computer. Basis for the “interactive access” language is provided in the specification, for example, at page 4, lines 8-22 and page 6, lines 14-28. No issue of new matter is presented.

In section (1) of the Office Action, the Amendment filed October 11, 2001 was objected to under 35 U.S.C. § 132(a) because it allegedly introduces new matter into the disclosure. In section (5) of the Office Action, Claims 28-39, 44-60, 71, 73, 82, 92, 93, 95, 108, 109, 111 and 120 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement for the same reasons as set forth in the new matter objection under 35 U.S.C. § 132(a).

According to the Office Action, with respect to Claims 28, 34, 39, 44, 55, 71, 93 and 109, the provision of standardized codes and the transmission of such codes to a financial accounting system represents new matter. By the present Amendment, independent Claims 28, 34 and 39, and dependent Claims 32, 33, 43, 55, 71, 93 and 109 have been amended to recite accounting codes representing income, expense, asset and/or liability information. As noted above, basis for the “accounting code” language is provided several places in the specification. For example, at page 4, line 25 to page 5, line 11, page 5, lines 24-35, page 7, lines 6-35, page 9, lines 8-15 and page 10, lines 3-30, the specification describes to those skilled in the art the provision of codes representing accounting information in the form of income, expense, asset and liability information, the association of such accounting codes with financial transactions, the transmission of such accounting codes to a separate financial accounting system, and the production of accounting statements including the income, expense, asset and/or liability information from the separate financial accounting system. It is therefore submitted that the features recited in Claims 28, 32-34, 39, 43, 55, 71, 93 and 109 are adequately described in the specification. No issue of new matter is presented and the claims meet the requirements of 35 U.S.C. § 112, first paragraph.

The language “at about the time” in Claim 28 was also asserted to be new matter in the Office Action. Although Applicant believes that the phrase “at about the time” is fully supported by the specification, the word “about” has been deleted from Claim 28, as well as Claims 33, 34, 38, 39, 43, 54, 70, 92 and 108. This amendment is not intended to alter the scope

of the claims, but rather to clarify the temporal relationship between a series of events which do not need to be performed simultaneously or instantaneously, but are performed as best as practical.

The Office Action also states that the claimed “sorting” step represents new matter. Although Applicant believes that the “sorting” step was adequately described in the specification, the “sorting” language has been removed from Claims 28, 34 and 39, thereby obviating this objection.

The Office Action further objected to Claims 44, 82 and 120 as including new matter due to the “signal in a carrier wave” language. Claims 44, 82 and 120 have been canceled without prejudice, thereby obviating this objection.

In section (3) of the Office Action, Claims 44, 82 and 120 were rejected under 35 U.S.C. § 101 because the claimed invention was allegedly directed to non-statutory subject matter. By the present Amendment, Claims 44, 82 and 120 have been canceled without prejudice, thereby obviating the 35 U.S.C. § 101 rejection.

In section (7) of the Office Action, Claims 28-60, 69, 70, 72, 73, 78-80, 82, 83, 90, 91, 93, 94, 109, 110, 112-118 and 120 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

For Claims 28, 34, 39, 44, 93 and 109, the Office Action states that the associating step for the standardized codes is indefinite. As amended, independent Claims 28, 34 and 39 recite that accounting codes are associated with the financial transactions. Such an “associating” feature is described in the specification, for example, at page 5, lines 24-27. It is submitted that this feature is sufficiently described in the specification and meets the requirements of 35 U.S.C. § 112, second paragraph.

The Office Action further states that, with respect to the term “standardized codes”, there is no clear meaning. Although Applicant believes that the term “standardized codes” has a definite meaning to those skilled in the art, the word “standardized” has been replaced with “accounting” in several claims, and the codes have been further defined as representing income, expense, asset and/or liability information. These terms have clear meanings to those skilled in the accounting art.

The Office Action further states that the phrase “sorting the transaction” is indefinite. Although Applicant believes that the term “sorting” has a definite meaning to those skilled in the art, the “sorting” language has been removed from Claims 28, 34 and 39.

With respect to Claim 39, the Office Action questions the meaning of the phrase “means for providing standardized codes”. Although Applicant believes that such language is clear to those skilled in the art, Claim 39 has been amended to remove the word “standardized”.

With respect to Claims 34, 44, 78, 82, 116 and 120, the Office Action questions the meaning of the recitation that the “instructions are executed by a processor”. Claims 44, 82 and 120 have been canceled. Claims 34, 78 and 116 have been amended to more clearly recite that the computer readable medium contains instructions which, when executed by a processor, controls the method for producing the accounting statement, rather than performs the method. Thus, the amended claims make clear that the computer readable medium does not actually perform the recited method steps, but rather controls such steps.

With respect to Claims 45, 80, 83 and 118, the Office Action questions the meaning of the phrase “means for providing access to said at least one file of said financial accounting computer”. As discussed above, the specification describes means for providing interactive access between the user (or agent) and the financial accounting computer, for example, in the form of a passcode issued to the user (or agent), e.g., page 6, lines 14-16.

With respect to Claims 30, 31, 36, 37, 41, 42, 56, 57, 72, 73, 94 and 110, the Office Action questions the meaning of the phrases “financial transaction codes” and “itemization codes”. Although Applicant believes that these terms have definite meanings to those skilled in the art, Claims 30, 31, 36, 37, 41, 42, 56, 57, 72, 73, 94, 95, 110 and 111 been canceled without prejudice.

With respect to Claims 51, 53, 54, 69 and 70, the Office Action states that it is not clear as to how many transaction computers there are. These claims, and the claims from which they depend, have been amended to more clearly recite “at least one” financial transaction computer.

With respect to Claim 53, the Office Action questions the meaning of the “communication network”. The communication network is described in the specification, for example, at page 6, line 31 to page 7, line 3 and page 9, lines 3-7.

With respect to Claim 79, the Office Action notes that a “method” is recited, while Claim 78 from which Claim 79 depends is a claim directed to a computer readable medium. By the present Amendment, Claim 79 has been amended to recite the “computer readable medium” of Claim 78.

With respect to Claims 80 and 118, the Office Action states that meaning of “means for establishing at least one file” is unclear as to the intended structure. Claims 80 and 118 have been amended to eliminate such “means for” language.

With respect to Claim 90, the Office Action states that the phrase “means for transferring data inputs . . .” is unclear. Claim 90 has been amended to replace the “means for” language with a recitation that the at least one other financial transaction computer is programmed to transfer other data inputs.

With respect to Claim 91, the Office Action states that it is not clear whether the recited “network” is a new network in addition to that of Claim 83. Claim 91 has been amended to recite that the network comprises a modem. Basis is provided in the specification, for example, at page 9, lines 5 and 6.

With respect to Claims 112-114, the Office Action states that the term “said user” is unclear because Claim 99 recites “at least one user”. These claims have been amended to recite “said at least one user”.

With respect to Claims 115 and 117, the Office Action questions the meaning of “said file” because Claims 99 and 116 specifically recite “at least one file”. These claims have been amended to recite “said at least one file”.

In section (9) of the Office Action, Claims 28-43, 45-81 and 83-119 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lawlor et al. ‘501. These rejections are respectfully traversed.

Lawlor et al. ‘501 discloses a method and system for remote delivery of retail banking services rather than accounting methods and systems as presently claimed. As shown in Figs. 1 and 1A of Lawlor et al. ‘501, users are provided with remote terminals (54) which communicate with a central computer (52) in order to allow the users to conduct routine banking functions. Fig. 3 shows the details of one of the remote terminals.

Lawlor et al. '501 does not teach or suggest a method or system which: provides accounting codes representing income, expense, asset and/or liability information; associates such accounting codes with financial transactions; transmits a record of each transaction and the accounting codes to a separate financial accounting system; and produces from the separate financial accounting system an accounting statement including the income, expense, asset and/or liability information. Accordingly, independent Claims 28, 34 and 39, and the claims that depend therefrom, are patentable over Lawlor et al. '501.

Furthermore, independent Claims 45, 61, 78, 80, 83, 99, 116 and 118 distinguish over Lawlor et al. '501. According to the Office Action, Lawlor et al. '501 discloses a financial accounting computer (52) and transaction computers (54) connected by a network (56 and/or 62). Users interact with the remote terminals (54) of Lawlor et al. '501 in order to conduct routine banking functions. In contrast, as recited in Claims 45, 61, 78, 80, 83, 99, 116 and 118, users interact with the financial accounting computer. The remote terminals (54) of Lawlor et al. '501 do not read on the presently claimed financial transaction computers, and the central computer (52) of Lawlor et al. '501 does not read on the presently claimed financial accounting computer. Accordingly, Claims 45, 61, 78, 80, 83, 99, 116 and 118, and the claims that depend therefrom, are patentable over Lawlor et al. '501.

In section (11) of the Office Action, Claims 44, 82 and 120 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lawlor et al. '501. Claims 44, 82 and 120 have been canceled without prejudice, thereby obviating the 35 U.S.C. § 103(a) rejection.

In view of the foregoing amendments and remarks, it is submitted that Claims 28, 29, 32-35, 38-40, 43, 45-55, 58-71, 74-81, 83-93, 96-109 and 112-119 meet the requirements of 35 U.S.C. § 112 and are patentable over the prior art of record. Accordingly, an early Notice of Allowance of this application is respectfully requested.

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In the event that it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (412) 263-4340.

Respectfully submitted,



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